

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON
WEDNESDAY AUGUST 27, 2003
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL KOEHS, CLERK
MARIE MALBURG, TREASURER
TRUSTEES: JANET DUNN
KENNETH MEERSCHAERT, JR.
DINO F. BUCCI, JR.
CHARLES OLIVER

ABSENT: NONE.

Also in attendance: Larry Dloski, Township Attorney
Jerome R. Schmeiser, Community Planning Consultant
James Van Tiflin, Township Engineer.
(Additional attendance record on file with Clerk)

Call Meeting to Order

Supervisor BRENNAN called the meeting to order at 7:00 p.m.

1. Roll Call

Clerk KOEHS called the Roll. All members present.

PLEDGE OF ALLEGIANCE

Awards presentation by Fire Chief Ray Ahonen for township firefighters John DeCook, Kevin Leder and Tom Cook who were involved in a recent lifesaving incident. In addition, Clerk Michael Koehs presented an award to Deputy Sheriff John Raymo for his lifesaving efforts as well. The victim and his family were also present and expressed their appreciation for the efforts of the firemen and police in this incident. Supervisor Brennan also thanked all those involved for a job well done.

2. Approval of Agenda Items (with any addendums)

MOTION by BUCCI seconded by OLIVER to approve the agenda as amended.

MOTION carried.

3. Approval of Bills (Two Bill Runs)

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MOTION by DUNN seconded by MALBURG to approve both bill runs as submitted.

MOTION carried.

4. Approval of Prior Meeting Minutes

MOTION by DUNN seconded by OLIVER to table the previous meeting minutes from August 13, 2003 until the next regularly scheduled Board meeting on September 10, 2003.

MOTION carried.

5. Department Monthly Reports
- a. Macomb County Sheriffs Department
 - b. Building Department
 - c. Fire Department
 - d. Water/Sewer Department
 - e. Parks and Recreation Department

MOTION by OLIVER seconded by BUCCI to approve the Department Monthly Reports as submitted.

MOTION carried.

6. Public Comments (Non Agenda items only - 3 minute time limit)

Firefighter Steve Anderson, 18277 Kandt, expressed his opinions regarding articles in the newspaper concerning problems at the fire department.

PUBLIC HEARING:

7. Request to Adopt Resolution No. 1 to schedule the Public Hearing date for the Rivers Estates Subdivision; Sedimentation Basin; Thomas Treppa, Petitioner. Located in Section 23.

Supervisor BRENNAN opened the public hearing at 7:15 p.m.

Petitioner: Thomas Treppa present.

Public Portion: None.

MOTION by BUCCI seconded by OLIVER to close the Public Hearing at 7:18 p.m.
MOTION carried.

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MOTION by DUNN seconded by MAIBURG to Adopt Resolution No. 1 and schedule the Public Hearing Date for September 24, 2003 for the establishment of a Special Assessment District for the Sedimentation Basin within the Rivers Estates Subdivision.

FOR THIS MOTION: DUNN, MALBURG, MEERSCHAERT, BUCCI, OLIVER, KOEHS, BRENNAN.

OPPOSED: NONE.

ABSENT: NONE.

MOTION carried.

PLANNING COMMISSION:

8. Final Plat, Emerald Green Subdivision; Located on the west side of Luchtman Road and ¼ mile south of 26 mile Rd, Emerald Green LTD Partnership, Petitioner. Permanent Parcel No. 08-05-200-009.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request and recommended approval.

Public Portion: None.

Petitioner: Bill Thompson, Kirk Maas, present.

MOTION by DUNN seconded by MALBURG to grant the Final Plat, Emerald Green Subdivision and to direct the Clerk to sign the mylar. Parcel No. 08-05-200-009.

MOTION carried.

9. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1) ; Located on the south side of 24 Mile Road, one mile west of Card Road; John Vesper, Petitioner. Permanent Parcel No. 08-15-100-015.

Supervisor John Brennan advised the Board that items 9-12 are similar in locations and circumstances; therefore, the Planning Consultant will review these four items at the same time.

Jerry Schmeiser, Planning Consultant reviewed items 9 through 12 and recommended denial for all four items, 9-12.

Petitioner; John Vesper, present.

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MOTION by BUCCI seconded by MALBURG to deny the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Parcel No. 08-15-100-015.

MOTION carried.

10. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1) ; Located on the south side of 24 Mile Road, one mile west of Card Road; John Vesper, Petitioner. Permanent Parcel No. 08-15-100-014.

Petitioner; John Vesper, present.

MOTION by KOEHS seconded by OLIVER to deny the rezoning request from Rezoning; Agricultural (AG) to Residential One Family Urban (R-1);Parcel No. 08-15-100-014.

MOTION carried.

- 11 Rezoning; Agricultural (AG) to Residential One Family Urban (R-1) ; Located on the south side of 24 Mile Road, one mile west of Card Road; John Vesper, Petitioner. Permanent Parcel No. 08-15-100-002.

Petitioner; John Vesper, present.

MOTION by OLIVER seconded by BUCCI to deny the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Parcel No. 08-15-100-002.

MOTION carried.

12. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1) ; Located on the south side of 24 Mile Road, one mile west of Card Road; John Vesper, Petitioner. Permanent Parcel No. 08-15-100-003.

Petitioner; John Vesper, present.

MOTION by KOEHS seconded by MALBURG to deny the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Parcel No. 08-15-100-003.

MOTION carried.

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13. Rezoning; Commercial General (C-2) to Office High Rise (O-2); Located on the north side of Hall Road, approximately $\frac{3}{4}$ mile west of Romeo Plank Road; Sal-Mar Building Co, Petitioner. Permanent Parcel No. 08-33-400-043.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request and recommended approval.

Petitioner: Thomas Treppa, present

Public Portion: Demitra Roberson expressed her opposition to the rezoning. Resident Mrs. Parkley, also expressed her opposition to the rezoning.

Supervisor Brennan reviewed the item with the residents.

MOTION by DUNN seconded by OLIVER to approve the rezoning from Commercial General (C-2) to Office High Rise (O-2); Parcel No. 08-33-400-043.

MOTION carried.

14. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the east side of Card Road 1/8 mile north of 22 Mile Road; Gino Cavaliere, Petitioner; Permanent Parcel No. 08-23-300-020.

Jerome R. Schmeiser, Community Planning Consultant reviewed the request and recommended approval, it being consistent with the Township Master Plan.

Petitioner, Gino Cavaliere, present.

Public Portion: None

MOTION by BUCCI seconded by DUNN to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Parcel No. 08-23-300-020.

MOTION carried.

15. Rezoning; Agricultural (AG) to Residential One Family Urban (R-1); Located on the east side of Card Road approximately 722' north of 22 Mile Road; Lorenzo Cavaliere, Petitioner. Permanent Parcel No. 08-23-300-012

Jerome R. Schmeiser, Community Planning Consultant reviewed the request and recommended approval.

Petitioner. Lorenzo Cavaliere, present.

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Public Portion: None.

MOTION by OLIVER seconded by MALBURG to approve the rezoning request from Agricultural (AG) to Residential One Family Urban (R-1); Parcel No. 08-23-300-012.

MOTION carried.

NEW BUSINESS

16. Request to Schedule Public Hearing for Industrial Facilities Tax Abatement; Rock Tops Inc, Eric Flynn, Petitioner, Section 17.

MOTION by DUNN seconded by KOEHS to approve the request and schedule the Public Hearing Date for September 10, 2003 for the Industrial Facilities Tax Abatement; Rock Tops Inc, Eric Flynn, Section 17.

MOTION carried

Addition:

- 16a. Request Authorization for review of the Zoning Ordinance section 10.0339 (B) 8' Non-Motorized Pedestrian Pathway.

Jim VanTiflin, Township Engineer, reviewed the item.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to approve the request to authorize the Township Attorney and related Department to review the Zoning Ordinance Section 10.0339 (B) 8' Non-Motorized Pedestrian Pathway.

MOTION carried.

Addition:

- 16b. Request for Model Permits; Sycamore Estates Subdivision. Pulte Homes, Petitioner. Section 26.

Petitioner: Tom Cleary, present.

MOTION by DUNN seconded by BUCCI to approve the request for Model Permits for Sycamore Estates Subdivision lot numbers 62, 69, 70 and 71.

MOTION carried.

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OLD BUSINESS:

- 17 Request for Liquor License Transfer; Wolverine Golf Club, Inc. Cecil St. Pierre,
Petitioner. Section 15.

Petitioner, Cecil St. Pierre, present.

Public Portion: None

**MOTION by OLIVER seconded by KOEHS to approve the Liquor License
Transfer from Wolverine Golf Club, Inc. to Opus Construction, L.L.C.**

MOTION carried.

18. Request for Release of Landscape Bond; Fairways of Macomb; Section 15.
Gino Cavaliere, Petitioner. Section 15.

**MOTION by BUCCI seconded by KOEHS to approve the request to release the
landscape bond for the Fairways of Macomb. Parcel No. 08-15-401-003.**

MOTION carried.

BUILDING DEPARTMENT

19. Request Permission for five (5) Building Inspectors to attend Fall Conference.

Bob Beckett, Building Official reviewed the request.

Public Portion: None

**MOTION by OLIVER seconded by DUNN to approve the request for five (5)
Building Inspectors to attend the Fall Conference total cost of Two Thousand Five
Hundred Forty Eight dollars and 80/100 (\$2,548.80).**

MOTION carried.

FIRE DEPARTMENT

20. Request permission to repair apparatus floor.

Ray Ahonen, Township Fire Chief reviewed the request.

Public Portion: None

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MOTION by OLIVER seconded by DUNN to approve the request to repair the apparatus floor total cost of Twenty Four Thousand Eight Hundred Thirty dollars and 00/100 (\$24,830.00).

MOTION carried.

21. Request permission to purchase fire prevention materials.

Ray Ahonen, Township Fire Chief reviewed the request.

Public Portion: None.

MOTION by KOEHS seconded by DUNN to approve the request to purchase fire prevention materials total cost of Two Thousand Nine Hundred Thirty Five dollars and 00/100 (\$2,935.00) plus shipping.

MOTION carried.

22. Request permission to purchase personal protective equipment.

Ray Ahonen, Township Fire Chief reviewed the request.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the request to purchase personal protection equipment total cost of Twenty Eight Thousand Nine Hundred Seventy Five dollars (\$28,975.00).

MOTION carried.

23. Request permission to purchase 25 Minitor IV pagers with a five year extended warranty.

Ray Ahonen, Township Fire Chief reviewed the request.

Public Portion: None

MOTION by DUNN seconded by OLIVER to approve the request to purchase 25 Minitor IV pagers with a five year extended warranty total cost Ten Thousand Eighty Six dollars and 50/100 (\$10,086.50).

MOTION carried.

Addition:

- 23a. Request to approve the Med Star Contract

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Supervisor John Brennan and Ray Ahonen, Township Fire Chief reviewed the request.

Public Portion: Residents Jim Rogers, Rich Maierle, Kevin Karwowicz, Steve Anderson and Geoff Smith expressed their opinions on this matter.

Stewart Slipik, Chief Executive Officer for Medstar Ambulance, answered questions regarding this request.

MOTION by BUCCI seconded by OLIVER to approve the MedStar Contract, as presented.

FOR THIS MOTION: BUCCI, OLIVER, DUNN, MALBURG, KOEHS, BRENNAN

OPPOSED: MEERSCHAERT JR.

ABSENT: NONE

MOTION carried.

Addition:

23b. Request to increase response level from the Medical First Response to Basic Life Support Non-Transport.

Chief Ray Ahonen reviewed request.

Public Portion: Stewart Slipik, Chief Executive officer for Medstar Ambulance stated support for Fire Department.

Resident Geoff Smith, Jim Rogers and others voiced their concerns.

MOTION by DUNN seconded by OLIVER to approve the request to increase the response level of the Macomb Township Fire Department from the Medical First Response to Basic Life Support Non-Transport.

FOR THIS MOTION: DUNN, OLIVER, BUCCI, MEERSCHAERT, MALBURG, KOEHS, BRENNAN.

OPPOSED: NONE

ABSENT: NONE

MOTION carried.

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Addition:

23c. Request to attend annual Fire Inspectors Fall Educational Seminar.

Ray Ahonen, Fire Department Chief reviewed the request.

Public Portion: Resident Steve Anderson expressed his opinions on this matter.

MOTION by KOEHS seconded by MALBURG to approve the request for David Myny to attend the Fire Inspectors Fall Educational Seminar total cost Five Hundred Forty Four dollars and 60/100 (\$544.60) plus mileage and meals.

MOTION carried.

WATER/SEWER DEPARTMENT

24. Easement Encroachment Agreement, Gary R. and Kimberly A. Winkler, 49650 Red Pine Drive, Macomb, MI 48044, Lot 141, Walnut Creek Subdivision #2.

David Koss, Water/Sewer Superintendent, reviewed the request.

Public Portion: None

MOTION by BUCCI seconded by MEERSCHAERT to approve Easement Encroachment Agreement, Lot 141, Walnut Creek Subdivision #2.

MOTION carried.

25. Easement Encroachment Agreement, Paul C. & Maria Berra, 47249 Pamela Drive, Macomb MI 48042, Lot 8, South Fork Estates Subdivision.

David Koss, Water/Sewer Superintendent, reviewed the request.

Public Portion: None

MOTION by OLIVER seconded by KOEHS to approve the Easement Encroachment Agreement, Lot 8, South Fork Estates Subdivision.

MOTION carried.

26. Easement Encroachment Agreement, Michael E and Patricia A. Rotonija, 46730 Partridge Creek Drive, Macomb MI 48044, Lot 36, Partridge Creek subdivision.

David Koss, Water/Sewer Superintendent, reviewed request.

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Public Portion: None

MOTION by MALBURG seconded by OLIVER to approve the Easement Encroachment Agreement, Lot 36, Partridge Creek Subdivision.

MOTION carried.

27. Approval of Purchase Requisitions:

- A. SLC Meter Service
- B. National Water Works

David Koss, Water/Sewer Superintendent, reviewed the request.

Public Portion: None

MOTION by DUNN seconded by KOEHS to approve the SLC Meter Service purchase requisition request total cost of Eighty Seven Thousand Six Hundred Seventy Five dollars and 25/100 (\$87,675.25).

MOTION carried.

MOTION by KOEHS seconded by MALBURG to approve the National Water Works purchase requisition total cost of Nine Thousand Forty Five dollars and 98/100 (\$9,045.98).

MOTION carried.

Addition:

27C. Batch Plant Request: Silver Pines Phase II

David Koss, Water/Sewer Superintendent, reviewed the request and recommended approval.

Public Portion: None

MOTION by KOEHS seconded by BUCCI to approve the batch plant request for Silver Pines Phase II for 60 days starting 08-27-03.

MOTION carried

BOARD COMMENTS:

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28. Supervisor Comments:

Supervisor Brennan commented on the outstanding job from all the township employees during the recent blackout along with the Sheriff Department personnel and local business owners.

Addition

28a. Clerical Position

MOTION by KOEHS seconded by DUNN to approve to advertise for a new clerical position.

MOTION carried.

29. Clerks Comments:

29A. Request permission to purchase a new main server.

Clerk KOEHS reviewed request with the Board.

MOTION by DUNN seconded by BUCCI to approve the request to purchase a new main server from Computer Builder Warehouse total cost Five Thousand Three Hundred Fifty Four dollars and 98/100 (\$5,354.98).

MOTION carried.

28. Treasurers Comments:

31. Trustees Comments:

Member OLIVER thanked the Fire Department for the great service he received during incident at his farm.

Member MEERSCHAERT asked for follow up on flag certificate.

Addition:

Executive Session:

MOTION by OLIVER seconded by KOEHS to adjourn into Executive Session at 8:33 p.m.

MOTION carried. *The Board reconvened at 8:45 p.m.*

32 MAFF Letter of Understanding

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MOTION by KOEHS seconded by BUCCI to authorize the Township Supervisor to sign the MAFF revised letter of understanding.

MOTION carried.

33. Landtec Investment v. Macomb Township

MOTION by KOEHS seconded by OLIVER to authorize the Township Planning Consultants to review the proposal and report back to the Board with their findings.

MOTION carried.

ADJOURNMENT

MOTION by MEERSCHAERT seconded by BUCCI to adjourn the meeting at 8:47 p.m.

MOTION carried

Respectfully,

John D. Brennan, Supervisor

Michael D. Koehs, Clerk
Gabrielle M. Baker, Recording Secretary
MDK/gmb